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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/535,441

05/19/2005

Jeffrey D. Watkins

X-16700B

8836

25885

7590

09/24/2008

ELI LILLY & COMPANY

PATENT DIVISION

P.O. BOX 6288

INDIANAPOLIS, IN 46206-6288

EXAMINER

BLANCHARD, DAVID J

ART UNIT

PAPER NUMBER

1643

NOTIFICATION DATE

DELIVERY MODE

09/24/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10535441	5/19/05	WATKINS ET AL.	X-16700B

ELI LILLY & COMPANY
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INDIANAPOLIS, IN 46206-6288

EXAMINER

David J. Blanchard

ART UNIT	PAPER
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1643	20080917
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DATE MAILED:

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Commissioner for Patents

1. The amendment filed on 12 March 2008 contains the following omission(s) or matter(s): The claims filed 19 May 2005 include the cancellation of claims 1-10 and newly adds claims 105-150, whereas the amendment filed 12 March 2008 reinstates claims 1-104 and does not include previously added claims 105-150 and as such, does not comply with 37 C.F.R. 1.126. Applicant is reminded that a canceled claim can be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number. The original numbering of the claims must be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. For example, when applicant cancels all of the claims in the original specification and adds a new set of claims, the claim listing must include all of the canceled claims with the status identifier (canceled) (the canceled claims may be aggregated into one statement). The new claims must be numbered consecutively beginning with the number next following the highest numbered claim previously presented (whether entered or not) in compliance with 37 CFR 1.126.

2. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Since this application has been granted special status under the accelerated examination program, **NO** extensions of time under 37 CFR 1.136(a) will be permitted.

The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. Any reply must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the reply is not filed electronically via EFS-Web, the final disposition of the application may occur later than twelve months from the filing of the application.

/David J Blanchard/
Primary Examiner, Art Unit 1643